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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,754	02/05/2004	Hans-Juergen Mueller	P03,0596	5712
26574	7590	04/18/2005		
SCHIFF HARDIN, LLP PATENT DEPARTMENT 6600 SEARS TOWER CHICAGO, IL 60606-6473			EXAMINER THOMAS, COURTNEY D	
			ART UNIT 2882	PAPER NUMBER

DATE MAILED: 04/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/772,754

Applicant(s)

MUELLER, HANS-JUERGEN 

Examiner

Courtney Thomas

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 7-17, 19, 20 and 22 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 5, 6, 18 and 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 07/06/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

1. Claim 16 is objected to because of the following informalities:
2. Claim 16 claims a CT (computer tomography) system having system components. The claim appears to recite a preamble and it is unclear where the body of the claim begins.
3. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 4, 7-17 and 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Hounsfield et al. (U.S. Patent 4,115,697).

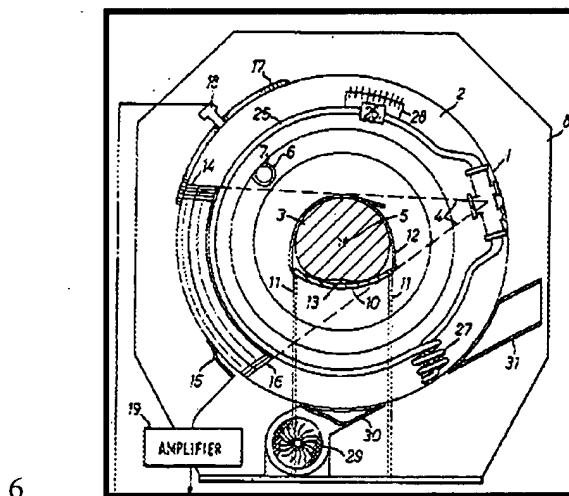


Figure 1 - Cooling Arrangement - U.S. Patent 4,115,697 to Hounsfield et al.

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7. **As per claims 1, 16 and 17**, Hounsfield et al. disclose a cooling system (and corresponding method of cooling) for a gantry of a computer tomography system, the cooling system comprising a cooling gas supply device (29) for directing cooling gas flow in the region of at least one bearing (not shown above - see column 1, lines 54-56) between the gantry housing (2) and a stationary part (8).

8. **As per claim 4** Hounsfield et al. disclose a cooling system which includes an outflow opening (31) in the stationary part (8) through which the cooling gas flows out of the stationary part after flowing through the gantry housing (2).

9. **As per claims 7-15, 19, 20 and 22**, Hounsfield et al. disclose a cooling system wherein the cooling gas flow comprises an air-flow drawn from outside the computer tomography system through at least one inflow opening (29); wherein the cooling gas supply device comprises at least one blower (29); wherein the blower is located in the stationary part of the computer tomography system; wherein at least one bearing has a flow-through opening running lengthwise through the bearing, through which the cooling gas flows between the stationary part and the gantry housing; which includes at least one heat exchanger (28) arranged in the cooling gas flow to cool the cooling gas; wherein the heat exchanger is arranged in the stationary part (8) and wherein guide means selected from guide surfaces and guide channels are arranged inside the gantry housing.

***Allowable Subject Matter***

10. Claims 2, 3, 5, 6, 18 and 21 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. **As per claim 2 and dependent claim 3**, the examiner found no reference in the prior art that disclosed or made obvious a cooling system, wherein the gantry housing is mounted for pivotable movement on a pivot axis by means of two coaxial pivot bearings provided on opposite sides of the stationary part of the computer tomography system, the gas supply device creating a flow of cooling gas into the gantry housing in the region of the first of the two pivot bearings, through the gantry housing and out from the gantry housing in the region of the second of the two pivot bearings into the stationary part.

12. **As per claim 5 and dependent claim 6**, the examiner found no reference in the prior art that disclosed or made obvious a cooling system wherein the gantry housing is positioned so that it can be pivoted on a pivot axis by means of two coaxial pivot bearings on opposite sides of the stationary part of the tomography system, the cooling gas supply device creating a cooling gas flow into the gantry housing in the region of at least one of the pivot bearings and escapes through at least one outflow opening in the gantry housing.

13. **As per claim 18**, the examiner found no reference in the prior art that disclosed or made obvious a method for cooling a gantry of a computer tomography system, wherein the gantry housing is positioned so that it can be pivoted on a pivot axis by means of two coaxial pivot bearings on opposite sides of the stationary part of the computer tomography system and the method includes creating the cooling gas flow in the region of the pivot bearings into the gantry housing, through the gantry housing and then out of the gantry housing in the region of the second pivot bearing.

14. **As per claim 21**, the examiner found no reference in the prior art that disclosed or made obvious a method for cooling a gantry of a computer tomography system, wherein the gantry

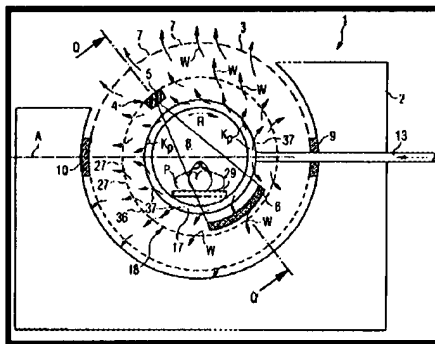
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housing is positioned so that it can be pivoted on a pivot axis by means of a first and second coaxial pivot bearing on opposite sides of the stationary part of the computer tomography system, the step of directing the cooling gas directs the cooling gas into the gantry housing in the region of at least one of the pivot bearings and dissipates the cooling gas into the surroundings through at least one outflow opening arranged in the gantry housing.

### *Conclusion*

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

16.



17. **U.S. Patent Application Publication 2004/0202287 A1 to Mueller** discloses a cooling system and method to cool a gantry of a computer tomography system (CT).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Courtney Thomas whose telephone number is (571) 272-2496. The examiner can normally be reached on M - F (9 am - 5 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on (571) 272 2490. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Courtney Thomas*

Courtney Thomas  
Examiner  
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